

Plaintiff

Poinsette, Keyshon

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V.

Defendant

CASE #: 2:25-cv-00416-BHH-MHC

National Credit System

COMPLAINT

1. This is a civil action brought under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §§ 1692 et seq., and the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §§ 1681 et seq., for Defendant's improper collection practices and reporting of a debt inaccurately attributed to complainant. complainant seeks injunctive relief, statutory damages, actual damages, and punitive damages arising from Defendant's violations of federal law.

JURISDICTION AND VENUE

2. This Court has original jurisdiction over cases in equity and at law under the constitution, per 28 U.S.C. § 1331 and because this action arises under the laws of the United States, specifically the FDCPA and FCRA.

PARTIES

4. Complainant Poinsette, Keyshon is a Private Citizen of the United States privately residing and privately domiciling within a non-military occupied private estate not subject to the jurisdiction of the 'United States'
5. Defendant, National Credit System is a business entity engaged in the acts of a collection agency and a credit reporting agency, Defendant is a "debt collector" under 15

U.S.C. § 1692a(6) and a "furnisher" of credit information under 15 U.S.C. § 1681s-2. Defendant is headquartered at [Defendant's Address].

FACTUAL ALLEGATIONS

6. On or around Jan 24, 2024 Defendant began attempting to collect an alleged debt from Plaintiff that Plaintiff does not owe.
7. Defendant reported the alleged debt to consumer reporting agencies, destroying Plaintiff's creditworthiness, despite the debt being inaccurate and improperly attributed to Plaintiff.
8. Plaintiff has never entered into a contract or agreement with Defendant for the alleged debt, nor has Defendant provided evidence to substantiate its claim of indebtedness.
9. Plaintiff disputed the alleged debt with Defendant and the consumer reporting agencies in 2024, Defendant failed to conduct a reasonable investigation as and did not provide full disclosure when requested by plaintiff, required by 15 U.S.C. § 1692g and 15 U.S.C. § 1681s-2(b) and continued to report the debt as valid.
10. Defendant's actions have caused Plaintiff harm, including emotional distress, destruction to Plaintiff's credit score, and financial uncertainty.

CLAIMS FOR RELIEF

Count I: Violation of the FDCPA, 15 U.S.C. §§ 1692 et seq.

11. Plaintiff incorporates by reference the preceding paragraphs as if fully set forth herein.
12. Defendant violated the FDCPA by engaging in unfair and deceptive practices, including but not limited to attempting to collect a debt not owed by Plaintiff and failing to provide validation of the debt upon request.
13. Defendant's actions were willful, intentional, and in violation of Plaintiff's rights under the FDCPA.

Count II: Violation of the FCRA, 15 U.S.C. § 1681s-2(b)

14. Plaintiff incorporates by reference the preceding paragraphs as if fully set forth herein.

15. Defendant failed to fulfil its obligations under the FCRA by continuing to report inaccurate information about Plaintiff to consumer reporting agencies after receiving notice of the dispute.

16. Defendant's actions violated Plaintiff's rights under the FCRA and caused harm to Plaintiff.

Count III: Defamation

17. Plaintiff incorporates by reference the preceding paragraphs as if fully set forth herein.

18. Defendant's false reporting of the alleged debt constitutes defamation of Plaintiff's character and creditworthiness.

19. Defendant's actions were willful, malicious, and in reckless disregard of Plaintiff's rights.

Count V: 18 U.S.C. § 1028A - Aggravated Identity Theft

20. The defendant did not have permission from the plaintiff to use his private information (name, social security number, address. etc)

21. In possession of such property the defendant then misused this information and reported a 'collection' on plaintiff's consumer report causing destruction to his credit worthiness

Count IV: 12 U.S.C. § 5531 - Prohibition of Unfair, Deceptive, or Abusive Acts or Practices

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1. Actual damages sustained by Plaintiff as a result of Defendant's violations;
2. Statutory damages under 15 U.S.C. § 1692k and 15 U.S.C. § 1681n(a)(1)(A);
3. Punitive damages under 15 U.S.C. § 1681n(a)(2);
4. Injunctive relief requiring Defendant to cease reporting inaccurate information and remove the alleged debt from Plaintiff's credit report;
5. Costs of this action, including reasonable attorney's fees, pursuant to 15 U.S.C. § 1692k(a)(3) and 15 U.S.C. § 1681n(c);
6. Any other relief the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff, Poinsette, Keyshon, hereby demands a trial by jury on all issues so triable in the above-captioned matter.